

| | | |
|-----------------|-------------------|---|
| ITEM NO: | <u>Location:</u> | Site D, Land to north of Housman Avenue and Lindsay Close, Royston |
| 10 | <u>Applicant:</u> | Fairview New Homes/HLT |
| | <u>Proposal:</u> | Erection of 39 residential units comprising 1 x 5 bedroom dwelling; 14 x 4 bedroom dwellings; 16 x 3 bedroom dwellings; 2 x 2 bedroom dwellings; 4 x 2 bedroom flats and 2 x 1 bedroom flats with associated internal access arrangements, car parking and landscaping. (Access to the site subject of a separate application ref no. 12/01037/1). (As amended by plans received 22/02/13; 24/04/13; 13/06/13 and 03/01/18.) |
| | <u>Ref. No:</u> | 12/01903/ 1 |
| | <u>Officer:</u> | Naomi Reynard |

Date of expiry of statutory period:

16 November 2012

Reason for Referral to Committee

Housing development on site exceeding 0.5 ha in area. Application referred back to committee as deferred by Planning Committee in July 2017.

Reason for Delay

Negotiations and discussions to improve the scheme. S106 Agreement negotiations.

1.0 Relevant History

Planning History

- 1.1 No planning applications for residential development have previously been made on Site D.
- 1.2 Detailed pre-application advice was given on the principle of residential development on three sites (A, B and C) north of Royston. Following advice and discussions in 2008/9 two outline applications were submitted in the summer of 2009 for up to 151 dwellings on Site A and not more than 98 residential units on Site B and C (09/01573/1 and 09/01574/1). These were subsequently withdrawn in March 2010 due to fundamental issues relating principally to emergency service access from Burns Road (sites A and B). Concerns were also expressed in relation to design issues on all sites.
- 1.3 An outline application for up to 151 dwellings was withdrawn in March 2010 for Site A (09/01573/1). This scheme was shown accessed off of Burns Road directly with no alternative route in. The Council considered that to allow further development in this area without a new means of access, particularly for the emergency services, would be contrary to the requirement in PPS 3 (Housing) that new development should take opportunities to improve the character of an area and the way it functions.

- 1.4 Planning permission was granted in June 2011 for a residential development of 59 residential units on Site C north of Coombelands (10/01066/1).
- 1.5 Planning permission was granted in October 2012 for residential development of 22 residential units on Site B north of Thackery Close (10/01065/1). This site was shown to be accessed off Burns Road, but the planning permission was subject to a condition relating to the prior provision of an alternative means of access for emergency vehicles.
- 1.6 An application for 124 residential units on Site A (north of Yeats Close) was submitted in May 2012 (12/01036/1). This was also shown accessed off of Burns Road. This said, the Council also received another separate planning application in May 2012 for a new road out onto the Old North Road which would serve Sites A and D. However, this application for Site A was withdrawn and a fresh application was submitted in February 2012 for the same number of units, but with access off Burns Road only (13/00409/1). The reasons for this concerned the stalling of negotiations relating to the acquisition of land outside of the development site which would allow an alternative full vehicular access from the Old North Road as well as from Burns Road.
- 1.7 The most recent planning application for residential development of 124 units at Site A, north of Yeats Close (13/00409/1) was referred to Planning Control Committee in August 2013. The scheme was shown accessed via the end of Burns Road only with an emergency access out onto the A505 in the north western corner of the site. Members agreed a resolution to grant planning permission subject to conditions (including additional conditions) and the completion of a satisfactory Section 106 Agreement. This application was granted planning permission in May 2014.
- 1.8 An application (13/00776/1) was submitted in May 2013 for residential development of 22 units at Site B, Land Off Thackery Close (Section 73 Application to remove condition 26 relating to the prior provision of an alternative means of access for emergency vehicles imposed on permission granted under ref. 10/01065/1 granted 31.10.2012). Members agreed a resolution to grant planning permission, less condition 26, subject to conditions and the completion of a satisfactory legal agreement/deed of variation securing the obligations previously agreed under ref 10/01065/1. This application was granted permission in May 2014.
- 1.9 Planning permission was granted in January 2014 for the formation of an access road from Old North Road to serve proposed residential development of 124 units at Site A (Land South of A505 and adjacent to Yeats Close, Royston) (12/01037/1). This access road would provide the only access to Site D and therefore these planning applications for residential development on Site D and the access road onto Old North Road are being considered at the same time. This permission has now lapsed (as three years has passed).
- 1.10 A formal public consultation in relation to Site D was held in February 2012. A Statement of Community Engagement was submitted with this planning application. Whilst a formal submission for pre-application advice was not made in relation to Site D, pre-application advice was provided in relation to Site A and many of the issues related to the earlier application for Site A are similar.
- 1.11 An application for a Screening Opinion in relation to Site D was submitted to the Council in November 2011. In December 2011 it was confirmed that having reference to the Indicative Thresholds set out in Annex A to Circular 02/99 (A18 and A19) and other relevant guidance, the Local Planning Authority does not consider that the Schedule 2 development would give rise to 'significant environmental effects' such as to render it development requiring an Environmental Assessment.

- 1.12 Planning permission was granted by this Committee in July 2017 for formation of an access road from Old North Road to serve proposed residential development of 39 units at Site D, Land to north of Housman Avenue and Lindsay Close, Royston (17/00666/1). The application was required as the previous application for an access road has lapsed and the current proposal involves a slight change to the positioning of the road.

2.0 Policies

North Hertfordshire District Local Plan No. 2 with Alterations (saved policies and SPD)

- 2.1 District Local Plan No 2 with Alterations Policy 8 – Development in Towns
- 2.2 District Local Plan No 2 with Alterations Policy 26 – Housing Proposals
- 2.3 District Local Plan No 2 with Alterations Policy 29A – Affordable Housing
- 2.4 District Local Plan No 2 with Alterations Policy 51 – Development Effects and Planning Gain
- 2.5 District Local Plan No 2 with Alterations Policy 55 (SPD Parking) – Car Parking Standards
- 2.6 District Local Plan No 2 with Alterations Policy 57 – Residential Guidelines and Standards
- 2.7 SPD – Planning Obligations
SPD – Vehicle Parking at New Developments
SPD – Design

2.8 Hertfordshire County Council Waste Core Strategy and Development Management Policies Development Plan Document 2012

Policy 1: Strategy for the Provision for Waste Management Facilities
Policy 2: Waste Prevention and Reduction
Policy 12: Sustainable Design, Construction and Demolition.

2.9 National Planning Policy Framework (NPPF)

4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

2.10 Local Plan 2011 - 2031 Proposed Submission October 2016

Policy SP1 - Sustainable development in North Hertfordshire
Policy SP2 - Settlement Hierarchy
Policy SP6 - Sustainable transport
Policy SP7 - Infrastructure requirements and developer contributions
Policy SP8 - Housing
Policy SP9 - Design and sustainability
Policy SP12 - Green infrastructure, biodiversity and landscape
Policy T1 - Assessment of transport matters
Policy T2 - Parking
Policy HS1 - Local Housing Allocations
Policy HS2 - Affordable Housing

Policy HS3 - Housing Mix
Policy D1 - Sustainable design
Policy D3 - Protecting living conditions
Policy D4 - Air quality
Policy HE4 - Archaeology

3.0 Representations

- 3.1 The representations received on this application can be found on the previous reports - see appendices 1 and 2. No formal consultation has been carried out since this application was last referred to Planning Committee in July 2017.

4.0 Planning Considerations

4.1 Site & Surroundings

- 4.1.1 The application site occupies a triangle of land to the north of Housman Avenue and Lindsay Close bounded to the north and west by the A505. The site is currently agricultural land.

4.2 Proposal

- 4.2.1 The application, as amended, seeks permission for a total of 39 residential units and 85 car parking spaces. The scheme comprises of 1 x 5 bedroom, 14 x 4 bedroom, 16 x 3 bedroom and 2 x 2 bedroom houses and 4 x 2 bedroom and 2 x 1 bedroom flats. The houses would be mainly 2 storey dwellings, with the exception of 3 houses which would be 2 ½ storey and an apartment block of 6 units which would be 2.5 storey. The indicative density would be approximately 29 dwellings per ha.
- 4.2.2 The scheme includes a buffer zone of landscaping along the northern and western edge of the site adjacent to the A505. This includes a small informal play area.
- 4.2.3 The plans have been amended as a result of negotiations discussed in the original report.

4.3 Key Issues

- 4.3.1 This application has already been considered by Planning Committee in January 2014. There was a resolution that planning permission be granted subject to the agreement of the Heads of Terms of a S106 Agreement. There have been lengthy delays in the negotiation and agreement of a S106 Agreement for reasons which have been outside the control of the Local Planning Authority. However, the Section 106 Agreement was agreed by all parties. The planning contributions that were being requested were set out in paragraphs 4.3.43 - 4.3.45 of the original committee report (Appendix 1).
- 4.3.2 This application was referred back to the Planning Committee in July 2017, because due to the passage of time some of the planning obligations are no longer required or justified. Copies of the previous reports are attached as appendices for reference. The report for the formation of an access road from Old North Road, which was approved by this committee in July 2017, is also attached for information.
- Appendix 1: 12/01903/1 (residential development) - Report to Planning Committee January 2014
 - Appendix 2: 12/01903/1 (residential development) – Report to Planning Committee July 2017
 - Appendix 3: 17/00666/1 (access road) – Report to Planning Committee July 2017

- 4.3.3 I do not wish to repeat the discussion of the key issues as set out in the previous reports on this application, which are appended to this report. Therefore this report only discusses the changes since this application was referred to Planning Committee in July 2017.
- 4.3.4 Please note that we have received confirmation in writing that the applicant is now only the Highfield Land Trust (and not Fairview Homes as well) and the agent has changed to Bletsoes (rather than Vincent and Goring).

Planning Contributions and Affordable Housing

- 4.3.5 As discussed in the report to Planning Committee in July 2017 the changes to the required planning obligations are that NHDC planning contributions for community centres/halls, leisure and pitch sport are no longer required due to pooling restrictions and requirement to comply with Regulation 122 of the CIL Regulations 2010 i.e. (i) Necessary to make the development acceptable in planning terms; (ii) Directly related to the development; (iii) Fairly and reasonable related in scale and kind to the development. However, the NHDC planning contributions are still required for sustainable transport and waste collection facilities and recycling and are included in the Section 106 Agreement.
- 4.3.6 The required County Council contributions remain the same. The County Council have confirmed that planning obligations would be required for nursery education, youth and library services. Given the passage of time it is not considered reasonable at this stage to revisit the County Council contributions. In any case the Section 106 Agreement has been agreed by the County Council.
- 4.3.7 At the July 2017 Planning Committee Meeting Councillors did not raise any concerns with regard to the above changes to the Planning Obligations included in the Section 106 Agreement.
- 4.3.8 The other major component of the Section 106 Agreement is affordable housing. When referred to Planning Committee in July 2017 the amount (10 units, which equates to 25%.5) and the mix of affordable housing as set out in the original committee report, remained the same as when the application was referred to Planning Committee in 2014. It was not considered reasonable by officers to request a further viability assessment and have it independently assessed at this late stage, as it was felt that the priority is to deliver much needed housing and avoid any further delay in determining this application.
- 4.3.9 However, following discussion of this matter at the July 2017 meeting the Planning Control Committee resolved:
- “That application 12/01903/1 be DEFERRED, to enable officers to go back to the applicant (Fairview Homes) in order to request a further viability assessment to be carried out in relation to affordable housing, and to have this independently assessed; a request that 40% affordable housing be incorporated in the development, as this is what is now required in light of the Emerging Plan, and especially in light of increases in land values and house prices since last viability report was carried out.”***
- 4.3.10 This request was put to the applicant (now Highfield Land Trust only) and they have agreed to provide 40% affordable housing in line with Policy HS2: Affordable Housing in the Emerging Local Plan. As such the Section 106 Agreement has been amended to reflect this.

- 4.3.11 The size, type and tenure of the affordable housing has been agreed in consultation with the Council's Housing Supply Officer and a revised Affordable Housing Tenure Plan has been submitted as part of the Section 106 Agreement. The Council's Housing Supply Officer has confirmed that the Affordable Housing Tenure Plan showing 16 affordable units (2 x 1 bed flats, 4 x 2 bed flats, 2 x 2 bed houses, 1 x 3 bed house and 1 x 4 bed house for rent and 6 x 3 bed houses for shared ownership) is correct. This represents a mix in terms of the size and type of properties. The tenure mix would be 10 homes to be rented (63%) and 6 homes to be shared ownership (37%). This reflects Emerging Local Plan Policy HS2 which states that ***"the Council's starting point for negotiation that 65% of homes will be rented and 35% other forms of affordable housing."***
- 4.3.12 The affordable housing would all be located in a row on the south east side of the site. Whilst it is good practice to spread the affordable housing across a development if possible, on a relatively small site of this size it is considered that it would not be reasonable to request this. The affordable housing would be physically indistinguishable from the market housing, which is welcomed.
- 4.3.13 As such it is considered that the amended scheme has addressed the concerns raised by Members at the July 2017 Planning Committee Meeting as 40% affordable housing would be provided on site and the size, type, tenure and location is acceptable to the Local Planning Authority in accordance with Emerging Policy HS2. This has been secured by a Section 106 Agreement.
- 4.3.14 At the time of writing the report the solicitors acting on the Council's behalf had received the engrossments which have been signed by the landowners and sealed by the County Council. The documents have been sent to our Legal Team for sealing on behalf of the District Council. Hence, the wording of the recommendation below, however it is hoped that this can be completed by the March Committee meeting. An update will be provided at the Committee meeting.

Royston Water Recycling Centre

- 4.3.15 There is one matter that has arisen since the application was previously referred to Planning Committee in July 2017. Site D forms part of housing allocation RY4, which also includes land to the north of the schools. It has been noted that within the Regulation 19 Consultation Responses on the Local Plan 2011-2031 Proposed Submission Draft Local Plan there is an objection from Anglian Water Services Ltd to housing allocation RY4 that read as follows:

"Undertake a detailed assessment of the impact of the Royston Water Recycling Centre in relation to odours, lighting, noise and traffic impacts to demonstrate no adverse impact on future residents. To provide evidence to demonstrate that a suitable distance is provided from Royston City Water Recycling Centre and sensitive development (buildings that are regularly occupied) as part of the detailed masterplanning of the site."

This wording has been incorporated in the site specific considerations in the Local Plan as set out below.

"Undertake a detailed assessment of the impact of the Royston Water Recycling Centre in relation to odours, lighting, noise and traffic impacts and provide mitigation measures where necessary".

There is also another criteria that states:

"Site layout design to take account of existing wastewater infrastructure."

4.3.16 The comments made by Anglian Water must have been made prior to the publication of the Proposed Submission Local Plan 2011-2031 in October 2016, as their suggestion has been incorporated in the site specific considerations. As set out in the report to Committee in July 2017, Anglian Water was re-consulted in May 2107 in case the situation had changed since they previously commented on the application in September 2012. However, no response was received therefore their original comments made in 2012 were relied upon and the informative previously recommended is still recommended. Anglian Water did not recommend any specific conditions in 2012, however made the following comments:

“The surface water strategy/flood risk assessment submitted with the planning application is not relevant to Anglian Water and therefore this is outside our jurisdiction for comment and the Planning Authority will need to consider which is the appropriate body to comment.

We request that the agreed strategy is conditioned in the planning approval.”

It is considered that this is covered by Conditions 27 and 28 recommended by the Environment Agency.

4.3.17 It is disappointing that Anglian Water did not respond to the re-consultation on this planning application in May 2017 and it is not considered reasonable to delay the determination of this application further in order to consult them again. However, given that their comments have been incorporated in the site specific considerations in the Emerging Local Plan the following additional condition (no. 32) is recommended to cover this matter:

“Prior to the commencement of development a detailed assessment of the impact of the Royston Water Recycling Centre in relation to odours, lighting, noise and traffic impacts shall be submitted to and approved by the Local Planning Authority in consultation with Anglian Water. Any mitigation measures shall be implemented prior to the occupation of any part of the development hereby approved.

Reason: To protect the amenities of future occupiers.”

Anglian Water would be consulted on an application for approval of details reserved by this condition.

Wording of Grampian Condition 4

4.3.18 Members may remember that when the application for the access road (ref. 17/00666/1) was considered at the July 2017 committee in order to resolve the issue raised by a late representation on behalf of Hertfordshire County Council it was recommended that a sentence would be added to the end of the Grampian Condition 4 on the planning application for the residential development on Site D.

4.3.19 As such Members resolved ***“that application 17/00666/1 be GRANTED planning permission, subject to the conditions and reasons set out in the report of the Development and Conservation Manager, and that should there be a resolution to grant planning permission to application 12/01903/1 (see Minute 36 below), the following sentence should be added to proposed Grampian condition 4 relating to that application: “or any alternative access as may be agreed by the Local Planning Authority”.***

4.3.20 This condition has been amended accordingly in the recommendation below. This issue is covered in detail in the minutes of the July 2017 committee meeting.

Alterations to conditions and informatives

- 4.3.21 In the previous report to committee the addition of Condition 31 requiring a Site Waste Management Plan and a waste informative was discussed in paragraph 4.3.26. These are recommended below.
- 4.3.22 In the previous report to committee paragraph 4.3.21 discussed the amended the wording of the condition in relation to the noise assessment and removal of the condition requiring submission of a construction phasing and environmental management scheme and replacement with informatives (as set out below), as this is our current practice.
- 4.3.23 A landscape completion condition has been added (no. 30) as it was noticed that this was missed off in error previously and is required to ensure that the approved landscaping is carried out.

Summary and Conclusions

- 4.3.24 The scheme has been amended to now provide 40% Affordable Housing and it is considered that this addresses the concerns raised by Members at the July 2017 Planning Committee. This has been secured by a revised Section 106 Agreement and affordable housing tenure plan.
- 4.3.25 Other than the amendment to the wording of condition 4, the additional conditions 30, 31 and 32, removal of the condition requiring submission of a construction phasing and environmental management scheme, addition of Environmental Health and Waste informatives (discussed above) and minor corrections to plan numbers within the conditions, there have been no further changes to the recommended conditions and informatives since this application was first considered by Planning Committee in 2014. The affordable housing will be secured by the Section 106 Agreement rather than condition.
- 4.3.26 The site is part of an allocated site (RY4) in the Proposed Submission Local Plan. The Council is now in a position such that it is able to make a case that it has a 5 year supply of housing land (this claim is yet to be tested at examination so I give it limited weight). The Proposed Submission Local Plan has been submitted to the Planning Inspectorate and the Local Plan Examination is ongoing at the time of writing this report. Whilst the Proposed Submission Local Plan only has limited weight at this stage, in the opinion of officers it would be difficult, in the prevailing circumstances, to make a case that approving acceptable development on this site now would be premature in planning terms.
- 4.3.27 Further, the NPPF requires that where a Local Plan is absent, silent or out of date, planning permission should be granted unless the benefits of approval are **'significantly and demonstrably'** outweighed by the adverse impacts of doing so. The significance and demonstrability of the adverse impacts should, in my view, only be proportional to the benefits of granting permission. In other words, if the benefits of approving a scheme are small then the significance of any adverse impacts need only be judged in proportion to that benefit rather than any other scale. This scheme would offer much needed affordable and market housing in what is, in North Hertfordshire terms, a sustainable location where access to services and social infrastructure is good. In terms of the now established 3 dimensional model of sustainability set out in the NPPF, the proposal scores highly. In terms of its design it is acceptable and brings a much needed open space into an area which lacks such provision

5.0 Legal Implications

- 5.1 In making decisions on applications submitted under the Town and Country Planning legislation, the Council is required to have regard to the provisions of the development plan and to any other material considerations. The decision must be in accordance with the plan unless the material considerations indicate otherwise. Where the decision is to refuse or restrictive conditions are attached, the applicant has a right of appeal against the decision.

6.0 Recommendation

6.1 That planning permission be **GRANTED** subject to the following conditions and to completion of associated S106 Obligation:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. **Details and/or samples of materials to be used on all external elevations and the roofs of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development is commenced.**

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

4. **No development shall commence until the highways access works shown on plans (S715PM-E02B; E03) hereby submitted, approved and described by LPA Reference Number 17/00666/1 and relating to the formation of an access road from Old North Road to serve proposed residential development of 39 units at Site D, Land to the north of Housman Avenue and Lindsay Close, ("the Works") that would allow the appropriate means of access to this Development [LPA Reference Number 12/01903/1] ("the Development"), have been completed in accordance with these approved drawings or any alternative access that as may be agreed by the Local Planning Authority.**

No part of the Development shall be occupied until the Works to implement the approved access have been completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure the proposed development has appropriate and adequate highways access and is acceptable in terms of highways safety.

5. The development hereby permitted shall not be brought into use until the proposed access roads and footways have been constructed to wearing course and the join to the carriageway to each end of the principal access road as identified on 'in principle' details on drawing numbered FNH371/P/HLT02 has been reinstated to the current specification of Hertfordshire County Council and to the local Planning Authority's satisfaction.

Reason: In the interests of highway safety and amenity.

6. Before the internal access roads are first brought into use, vehicle to vehicle visibility splays of 2.4 metres by 25 metres to both directions shall be provided and permanently maintained. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the junction with the edge of the carriageway of the highway respectively along the access roads of the application site and from the intersection point along the edge of the carriageway.

Reason: To provide adequate visibility for drivers entering and leaving the site.

7. Before the driveways are first brought into use, pedestrian visibility splays of 0.65 metres by 0.65 metres each side shall be provided and permanently maintained. Within which, there shall be no obstruction to visibility between 600 mm and 2.0 metres above the carriageway level. These measurements shall be taken from the intersection of the centre line of the junction with the edge of the carriageway of the highway respectively along the access roads of the application site and from the intersection point along the edge of the carriageway.

Reason: To provide adequate visibility for drivers entering and leaving the site.

8. The principal access road shall be a minimum of 6.1 metres wide and thereafter the carriageway shall reduce to 5.5 metres and 4.8 metres wide to the remaining offset roads as identified on drawing number FNH371/P/HLT02.

Reason: So that vehicles may enter and leave the site with the minimum of interference to the free flow and safety of other traffic on the highway and for the convenience and safety of pedestrians and disabled people.

9. **Prior to the commencement of the works as identified on the 'in principle' site plan number FNH371/P/HLT02; a site layout shall be submitted to the highway authority with details showing the size of radii kerbs, the forward visibility around the bends and sightline visibility splays from the junctions of the site layout the details must include a swept path analysis of a large refuse collection vehicle in current use to demonstrate that the road layout can accommodate a refuse collection vehicle in current use when passing parked cars and around bends and shall be in accordance with Manual for Streets with the ultimate design being technically approved prior to commencement on site.**

Reason: To ensure that the development does not adversely affect the safety and operation of the highway network in accordance with National Planning Policy Framework, promoting sustainable transport and Manual for Streets.

10. **Construction of the approved development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include construction vehicle numbers/routing such as prohibition of construction traffic being routed through Royston town centre and shall be carried out as approved.**

Reason: In order to protect highway safety and the amenity of other users of the public highway.

11. **Prior to the commencement of development a Construction Method Statement shall be submitted to and approved in writing by the local planning authority in consultation with the highway authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Statement.**

The Construction Method Statement shall address the following matters:

- a. Off site highway works in order to provide sufficient access throughout the construction period, work shall be completed prior to the commencement of development, and reinstated as required.**
- b. Construction and storage compounds (including areas designated for car parking)**
- c. Siting and details of wheel washing facilities**
- d. Cable trenches**
- e. Foundation works**
- f. Substation/control building**
- g. Cleaning of site entrance and the adjacent public highways**
- h. Disposal of surplus materials.**

Reason: In the interests of highway safety, amenity and free and safe flow of traffic.

12. **Prior to commencement of the development any Traffic Regulation Orders (TROs) that are required as part of improving the accessibility of the site must be secured in place, such as implementing the relocation of the 30 mph limit signs in Old North Road and for the restricted speed limit of 20 mph around the new development which shall be subject to the Speed Management Strategy criteria.**

Reason: In the interests of highway safety, amenity and free and safe flow of traffic.

13. **Within three months of occupation of the development hereby permitted the applicant shall implement the proposed submitted "Green Travel Plan" with the object of reducing the number of trips to the development by private car which shall be first be approved by the Planning/Highway authorities.**

Reason: To promote sustainable transport measures to the development in accordance with the National Planning Policy Framework.

14. **Prior to the commencement of the works as identified on the 'in principle' details on drawing numbered FNH371/P/HLT02 Rev A shall be submitted to the Highway Authority and subjected to an independent Safety Audit with a Safety Audit Report (SAR) being prepared with the ultimate design being technically approved in writing by the Highway Authority (in conjunction with the Local Planning Authority) prior to commencement of any works on site**

Reason: To ensure that the development does not adversely affect the safety and operation of the adjoining highway network in accordance with National Planning Policy Framework, promoting sustainable transport and to accord with Hertfordshire County Council publication Roads in Hertfordshire 'A Design Guide.

15. **Details of arrangements for storage of refuse (including means of enclosure or the area concerned where necessary) shall be submitted and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed to the satisfaction of the Authority before any part of the development is first occupied, and permanently maintained thereafter to the Authority's satisfaction.**

Reason: In order to provide adequate refuse facilities.

16. Before the occupation of any of the dwellings hereby permitted, the car parking facilities shown on the approved plan (ref. FNH371/P/HLT03 RevA Site Plan - Ground Level) shall be marked out and made available, and shall thereafter be kept available solely for the parking of motor vehicles.

Reason: To ensure the provision of satisfactory car parking facilities clear of the public highway to meet the needs of the development.

17. The dwellings hereby approved shall achieve at least Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a design stage Code Certificate has been issued for it certifying that Code Level 4 or greater will be achieved. Within one month of practical completion of the dwelling, a final Code Certificate will be issued certifying Code Level 4 has been achieved.

Reason: To reduce the impact of the dwellings on the environment consistent with the advice in the NPPF.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended no development as set out in Classes A to F (inc) of Part 1 of Schedule 2 to the Order, (or any subsequent Statutory Instrument which revokes, amends and/or replaces those provisions) shall be carried out without first obtaining a specific planning permission from the Local Planning Authority.

Reason: Given the nature of this development, the Local Planning Authority considers that development which would normally be "permitted development" should be retained within planning control in the interests of the character and amenities of the area.

19. The approved details of landscaping for the northern edge A505 landscape buffer zones (as shown on the approved landscaping plans drawing nos. FNH371 LS/02A, 03A, 9A and 10A) shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

20. **Prior to the commencement of the development hereby permitted full details of all hard and soft landscaping (in relation to the internal residential area including the southern boundary of the site) associated with this development proposal shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site. The details shall include the following:**

a) which, if any, of the existing vegetation is to be removed and which is to be retained

b) what new trees, shrubs, hedges and grassed areas are to be planted, together with the species proposed and the size and density of planting

c) the location and type of any new walls, fences or other means of enclosure and any hardscaping and street furniture proposed

d) details of any earthworks proposed

Reason: To ensure that the development will have an acceptable appearance which does not detract from the appearance and character of the surrounding area.

21. All works associated with the approved development shall be carried out in accordance with the submitted *Reptile Mitigation Method Statement* (8th Jan 2013). The site's approved landscaping schemes shall subsequently be managed in accordance with the submitted *Reptile Habitat Management Plan* (21st May 2013).

Reason: To safeguard the site's identified bio-diversity.

22. Notwithstanding the details shown on the approved drawings, full details of all fencing, including boundary fencing separating the approved scheme from existing residential properties and the acoustic fence along the A505, shall be submitted to and approved in writing by the Local Planning Authority. All approved boundary treatments shall be fully implemented prior to any works to implement the approved scheme commence.

Reason: In order to safeguard the reasonable amenities of existing residents and future residents of the new scheme.

23. **No development shall commence until the applicant has written confirmation from the water supply authority stating that there is sufficient local supply of potable water to serve the development. This confirmation shall be submitted to the Local Planning Authority.**

Reason: To ensure sufficient potable water is available to serve the needs of the development.

24. Subject to the noise mitigation measures relating to acoustic fence (Figure 2.1, minimum mass 20 kg/sqm), glazing and ventilation detailed in Section 3 of "Access road noise assessment and guidance update – Highfield Land Trust Site, Royston, Phase D", Report Reference GA-2017-0019-L1, dated 28 June 2017, by Grant Acoustics, being implemented prior to the first occupation of the dwellings, the Report shall be approved. Once implemented, the scheme of measures shall be maintained in accordance with the approved details.

Reason: To protect the residential amenities of future residents.

25.

- (a) **No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**
- (i) **A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors¹, and;**
 - (ii) **The results from the application of an appropriate risk assessment methodology**
- (b) **No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.**
- (c) **This site shall not be occupied, or brought into use, until:**
- (i) **All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b), above, have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.**
 - (ii) **A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.**
- (d) **Any contamination, other than that reported by virtue of condition (b), encountered during the development of this site shall be brought to the attention of the Local Planning Authority as soon as practically possible; a scheme to render this contamination harmless shall be submitted to and agreed by, the Local Planning Authority and subsequently fully implemented prior to the occupation of this site.**

***Receptors* shall include all those receptors specified within the Contaminated Land Statutory Guidance April 2012.**

Reason: To ensure that any contamination affecting the site is dealt with in a manner that safeguards human health, the built and natural environment and controlled waters.

26. **A No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:**
- 1. The programme and methodology of site investigation and recording**
 - 2. The programme and methodology of site investigation and recording as suggested by the archaeological evaluation**
 - 3. The programme for post investigation assessment**
 - 4. Provision to be made for analysis of the site investigation and recording**
 - 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation**
 - 6. Provision to be made for archive deposition of the analysis and records of the site investigation**
 - 7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.**
 - 8. The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)**
 - 9. The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.**

Reason: To safeguard the archaeological record.

27. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (26th Oct 2012 Final v1A D137576/ROY3 by URA) and the following mitigation measures detailed within the FRA:

- surface water runoff shall be restricted to greenfield rates.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

28. **No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.**

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and ensure future maintenance of the drainage system for the lifetime of the development.

29. Site clearance and the removal of all vegetation will only take place during the period October – January inclusively.

Reason: To protect breeding birds.

30. The approved details of landscaping (in relation to the internal residential area including the southern boundary of the site) shall be carried out before the end of the first planting season following either the first occupation of any of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced during the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to vary or dispense with this requirement.

Reason: To safeguard and enhance the appearance of the completed development and the visual amenity of the locality.

31. Prior to the commencement of development a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority following consultation with the Waste Planning Authority. The approved Site Waste Management Plan shall be implemented on site.

Reason: In order to reduce the amount of waste produced on site.

32. **Prior to the commencement of development a detailed assessment of the impact of the Royston Water Recycling Centre in relation to odours, lighting, noise and traffic impacts shall be submitted to and approved by the Local Planning Authority in consultation with Anglian Water. Any mitigation measures shall be implemented prior to the occupation of any part of the development hereby approved.**

Reason: To protect the amenities of future occupiers.

Informatives

Highways Informatives:

1. The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <http://https://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

Reason: To ensure that work undertaken on the highway is constructed to the current Highway Authority's specification, to an appropriate standard and by a contractor who is authorised to work in the Public Highway.

2. It is advisable that all internal roads could be designed and build to an adoptable standard.

Anglian Water Informative:

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Network Rail Informative:

Noise/Soundproofing

The Developer should be aware that any development for residential use adjacent to an operational railway may result in neighbour issues arising. Consequently every endeavour should be made by the developer to provide adequate soundproofing for each dwelling. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.

Access to Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

It is realised that much of the above does not apply directly to the application but should be taken into consideration as appropriate. Nevertheless it gives a useful guide as to the considerations to be taken into account in relation to development adjacent to the railway. I would advise that in particular the soundproofing should be the subject of a condition, the reasons for which can include the safety, operational needs and integrity of the railway.

Waste Informative:

As from 6 April 2008, a site waste management plan (SWMP) is required by law for all construction projects that are worth more than £300,000. This aims to reduce the amount of waste produced on site and should contain information including types of waste removed from the site and where that waste is being taken to. Projects over £500,000 may require further information. Good practice templates for producing SWMPs can be found at:

<http://www.smartwaste.co.uk/> or

http://www.wrap.org.uk/construction/tools_and_guidance/site_waste_management_planning/index.html

Environmental Health Informatives:

During the construction phase the guidance in BS5228-1:2009 (Code of Practice for noise Control on construction and open sites) should be adhered to.

During the demolition and construction no activities should take place outside the following hours: Monday to Friday 08:00-18:00hrs; Saturdays 08:00-13:00 hours and Sundays and Bank Holidays: no work at any time.

Proactive Statement

Planning permission has been granted for this proposal. The Council acted proactively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted proactively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.